



U.S. House of Representatives

Committee on the Judiciary

F. James Sensenbrenner, Jr., Chairman

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News Advisory

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Contact: Jeff Lungren/Terry Shawn
202-225-2492

PATRIOT Act Oversight Hearing Tuesday

Focus: Criminal Wiretaps and Delayed Notice Search Warrants

What: Oversight Hearing on Sections 201, 202, 213, and 223 of the USA-PATRIOT Act

Who: Subcommittee on Crime, Terrorism, and Homeland Security – Rep. Howard Coble (R-N.C.), Chairman

When: 10:00 a.m., Tuesday, May 3, 2005

Where: 2141 Rayburn Building

Sections 201, 202, and 223 of the USA-PATRIOT Act relate to criminal wiretaps and are set to expire on December 31, 2005 unless Congress reauthorizes them. Section 213, which relates to delayed notice of a search warrant, does not expire but has drawn criticism from some.

BACKGROUND...

- ✓ **Section 201:** added certain terrorist activities as reasons courts could authorize a wiretap to intercept wire, oral, or electronic communication. While wiretap predicates already existed for a number of less serious crimes such as trafficking auto parts, some crimes involving terrorism were not predicates. Section 201 closed this loophole.
- ✓ **Section 202:** added some serious computer hacking felonies, including cyberterrorism, as reasons courts could authorize a wiretap to intercept wire, oral, or electronic communication.
- ✓ **Section 223:** enhanced civil liberties protections through new penalties for the unauthorized disclosure of information obtained under the government's updated surveillance authority granted by the PATRIOT Act.
- ✓ **Section 213:** created a uniform nationwide standard for the issuance of delayed notice search warrants, a practice that had begun decades prior to the PATRIOT Act. Under very specific circumstances, a court may authorize the subject of a search warrant to be told within a reasonable amount of time as opposed to immediately. The Justice Department said courts authorized delayed notice for 155 search warrants since the PATRIOT Act's enactment in 2001 through the end of January 2005.

WITNESSES: **Hon. Michael Sullivan**, United States Attorney, District of Massachusetts; **Mr. Chuck Rosenberg**, Chief of Staff to Deputy Attorney General, U.S. Justice Dept.; **Ms. Heather MacDonald**, Manhattan Institute; and **former Rep. Bob Barr** (R-Ga.).

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